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33M1/0320

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**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/185,994	03/31/94	006	DAWSON, G	3309 03/20/95
First Named Applicant	GARDNER,	MICHAEL S.		

TITLE OF INVENTION EAR TAG APPLICATOR

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 CU1108TFP	606-117.000	J84	UTILITY	NO	\$1210.00	06/20/95

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
- B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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08/185,994	03/31/94	GARDNER	ATTORNEY DOCKET NO.
SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	CUI108TFP

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33M1/0320

DAWSON, G

EXAMINER

ART UNIT
3309

PAPER NUMBER

03/20/95

DATE MAILED:

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to amendment on 12-15-94
2. ☒ All the claims being allowable. PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 9-14
4. ☒ The drawings filed on _____ are acceptable.
5. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☒ been filed in parent application Serial No. PT 16891/01416, filed on 7-31-92
6. ☒ Note the attached Examiner's Amendment.
7. ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☐ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - a. ☒ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached ~~hereto~~ to Paper No. 5. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☒ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☐ Examiner Interview Summary Record, PTOL-413
- ☐ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

B

Serial Number: 08/185994

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Art Unit: 3309

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with THOMAS PETERSON on 03-17-95.

The application has been amended as follows:

B1 In claim 9 line 2, ~~"/~~said handle members being movable between fully open and closed positions, ~~--~~ has been inserted after "members,"; in line 11, "and" and "and not to lock" has been deleted; in line 13, ~~"/~~said elongate tag engagement means being free to pivot relative to said first jaw when said handle members are in said fully open position and said elongate tag engagement means is in said first position ~~--~~ has been inserted after "other".

B2 In claim 12 line 2, "of tag pieces" has been changed to --portion of a tag--.

B3 In claim 13 line 3, ~~"/~~are in said fully open position ~~--~~ has been inserted after "members".

B4 In claim 14 line 2, ~~"/~~when in said position ~~--~~ has been inserted after "means"; in line 3, --of-- has been inserted after "rearwardly".

The following abstract has been added after the claims:

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Serial Number: 08/185994

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Art Unit: 3309

ABSTRACT

BS -- An ear tag applicator having pivotally connected handles each having a jaw. One of the jaws has a tag engaging pin which is biased into a nearly perpendicular orientation with respect to the opposing jaw. A biasing spring allows the pin and the tag held thereby to pivot relative to the jaw at all times so that the device will not tear or rip the animals ear during its application.

The following changes to the drawings have been approved by the Examiner and agreed upon by applicant: the spring between the handles must be shown. In order to avoid abandonment of the application, applicant must make the above agreed upon drawing changes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Glenn Dawson at telephone number (703) 308-4304. Examiner Dawson can normally be reached on Monday through Thursday from 7:00 AM to 5:30 PM, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, examiner Dawson's supervisor, Steve Pellegrino, can be reached at (703) 308-0871. The fax number for Group 3300 is (703) 305-3590 or 3591.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group 3300 receptionist at (703) 308-0858.

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GKD
March 18, 1995

Stephen C. Pellegrino
Supervisory Patent Examiner
Group 330